

REMARKS

Applicant requests favorable reconsideration and allowance of this application in view of the foregoing amendments and the following remarks.

Claims 1, 9, and 12-18 are pending in the present application with Claims 1, 9, 17, and 18 being the independent claims. Claims 2-8, 10 and 11 have been cancelled without prejudice.

Claims 1, 9, 12-14, 17, and 18 have been amended. Applicant submits that support for the amendments and the new claims can be found in the original disclosure, and therefore no new matter has been added.

Claims 1-6, 8-14, and 16-18 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,202,056 (Nuttall). Claims 7 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nuttall. Applicant respectfully traverses these rejections for the reasons discussed below.

As recited in independent Claim 1, the present invention includes, *inter alia*, the features of obtaining first copyright data attached to output data, determining whether second copyright data related to the output data should be obtained from a copyright management apparatus in accordance with information related to an effective limit data included in the obtained first copyright data, obtaining second copyright data from the copyright management apparatus in accordance with the determination result, and executing output processing of the output data by utilizing one of (i) an output condition included in the second copyright data and (ii) an output condition included in the first copyright data, in accordance with the determination result.

Applicant submits that the cited art fails to disclose or suggest at least the above-mentioned features. In particular, Applicant submits that Nuttall only discloses that if a requirement from a contents requirement node is approved by an approval node, then


the contents supply node transfers the contents to the contents requirement node, and that if the requirement from the contents requirement node is invalid then the processing is terminated. However, that patent does not disclose or suggest processing output data utilizing one of (i) an output condition included in first copyright data attached to the output data and (ii) an output condition included in second copyright data obtained from a copyright management apparatus, in accordance with a determination of whether the second copyright data should be obtained based on information related to an effective limit date included in the first copyright data.

In view of the foregoing, Applicant submits that independent Claim 1 is patentable over the cited art. Independent Claims 9, 17, and 18 recite similar features and are believed to be allowable for reasons similar to Claim 1. The dependent claims are believed to be allowable for at least the same reasons as the independent claims, as well as for the additional features they recite.

For the foregoing reasons, Applicant submits that this application is in condition for allowance. Favorable reconsideration, withdrawal of the rejections set forth in the above-mentioned Office Action, and an early Notice of Allowance are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Brian L. Klock', is written over a horizontal line.

Attorney for Applicant
Brian L. Klock
Registration No. 36,570

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

BLK/lmj

DC_MAIN 183255v1